



## FAX TRANSMITTAL SHEET

RECEIVED  
CENTRAL FAX CENTER

SEP 09 2005

Motorola, Inc.  
Intellectual Property Section  
Law Department  
1303 E. Algonquin Rd.  
Schaumburg, IL 60196  
Telephone: (847) 576-3635  
Facsimile: (847) 576-3750

Number of Pages (Including this page)

**Date:** September 9, 2005

**To:** Examiner Wozniak, James S. – Group 2655

**Location:** United States Patent and Trademark Office

**Fax No.:** 571-273-8300

**From:** Jeffrey K. Jacobs (Registration No. 44,798)

**Subject:** Serial No. 09/767,522 –Proctor et al.

**NOTICE:** This facsimile transmission may contain information that is confidential, privileged, or exempt from disclosure under applicable law. It is intended only for the person to whom it is addressed. Unauthorized use, disclosure, copying or distribution may expose you to legal liability. If you have received this transmission in error, please immediately notify us by telephone (collect) to arrange for return of the documents received and any copies made. Thank you.

## MESSAGE:

Enclosed herewith, please find a RESPONSE Office Action and REQUEST FOR EXTENSION OF TIME for filing in the below-identified application.

RECEIVED  
OIPE/IAP

SEP 12 2005

**PLEASE GIVE THESE PAPERS TO:**

EXAMINER:	Wozniak, James S.
GROUP ART UNIT:	2655
SERIAL NO.:	09/767,522
FILED:	January 23, 2001
INVENTOR:	Proctor et al.
ATTORNEY DOCKET NO.:	CE08569R

<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>		Application Number	09/767,522
		Filing Date	January 23, 2001
		First Named Inventor	Proctor et al.
		Group Art Unit	2655
		Examiner Name	Wozniak, James S.
Total Number of Pages in this Submission	4	Attorney Docket Number	CE08569R

<b>ENCLOSURES</b>			<b>(check all that apply)</b>
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input checked="" type="checkbox"/> Extension of time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-Related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CDs	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter with appropriate copies <input type="checkbox"/> Other Enclosure(s) (please identify below) <input type="checkbox"/> Response to Restriction Requirement <input type="checkbox"/> Associate Power of Attorney <input type="checkbox"/> RCE <input type="checkbox"/> Copy of Notice to File Missing Parts <input type="checkbox"/> Transmittal of Formal Drawings <input type="checkbox"/> Response to Notice of Non- Recordation of Document	<input type="checkbox"/> Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Jeffrey K. Jacobs	Registration No.	44,798
Signature			
Date	September 9, 2005		

**CERTIFICATE OF TRANSMISSION**

hereby certify that this correspondence is being facsimile transmitted to the USPTO to facsimile number 571-273-8300 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313

Typed or printed name	Jeffrey K. Jacobs
Signature	
	Date
	September 9, 2005

(PTO/SB/17 (11-04))	
<b>PROCESSING FEE</b>	
Under 37 CFR 1.17(i)	
<b>TRANSMITTAL</b>	
(Fees are subject to annual revision)	
Send completed form to: Commissioner for Patents	
P.O. Box 1450, Alexandria, VA 22313-1450	
<b>Complete if Known</b>	
Application Number	09/767,522
Filing Date	January 23, 2001
First Named Inventor	Proctor et al.
Art Unit	2655
Examiner Name	Wozniak, James S.
Attorney Docket No.	CE08569R

Enclosed is a paper filed under 37 CFR \_\_\_\_\_ that requires a processing fee (37 CFR 1.17(i)).

Payment of \$\_\_\_\_\_ is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 502117, Motorola, Inc.

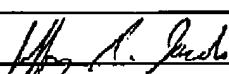
processing fee under 37 CFR 1.17(i)  any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

Check in the amount of \$\_\_\_\_\_ is enclosed.

Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

<b>Processing Fees under 37 CFR 1.17(i):</b>	<b>Fee \$130</b>	<b>Fee Code 1808 for all, except for § 1.221 papers (Fee Code 1803)</b>
For papers filed under:		
§ 1.28(c)(3) – for processing a non-itemized fee deficiency based on an error in small entity status.		
§ 1.41 – for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.83, except in provisional applications.		
§ 1.48 – for correcting inventorship, except in provisional applications.		
§ 1.52(d) – for processing a nonprovisional application filed with a specification in a language other than English.		
§ 1.53(b)(3) – to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).		
§ 1.65 – for entry of late priority papers.		
§ 1.89(e) – for processing a belated submission under § 1.88.		
§ 1.103(b) – for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).		
§ 1.103(c) – for requesting limited suspension of action, request for continued examination (§ 1.114).		
§ 1.103(d) – for requesting deferred examination of an application.		
§ 1.217 – for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.		
§ 1.221 – for requesting voluntary publication or republication of an application. Fee Code 1803.		
§ 1.281(c)(5) – for processing a second or subsequent protest by the same real party in interest.		
§ 1.497(d) – for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.		
§ 3.81 – for a patent to issue to assignee, assignment submitted after payment of the issue fee		

SUBMITTED BY			
Signature		Registration No.	Telephone
		44,798	847/576-5562
Name (Print/Type)	Jeffrey K. Jacobs	Date	September 9, 2005